



CITY OF SUNNYVALE REPORT Planning Commission Hearing

August 22, 2005

SUBJECT: **2005-0565:** Application for a 6,500 square-foot site located at **375 Carroll Street** (near E. Iowa Ave) in a DSP-8b (Downtown Specific Plan/Block 8b) Zoning District.

Motion Special Development Permit to allow a second-story addition and a detached garage with a second-story accessory living unit.

REPORT IN BRIEF

Existing Site Conditions One-story single family home

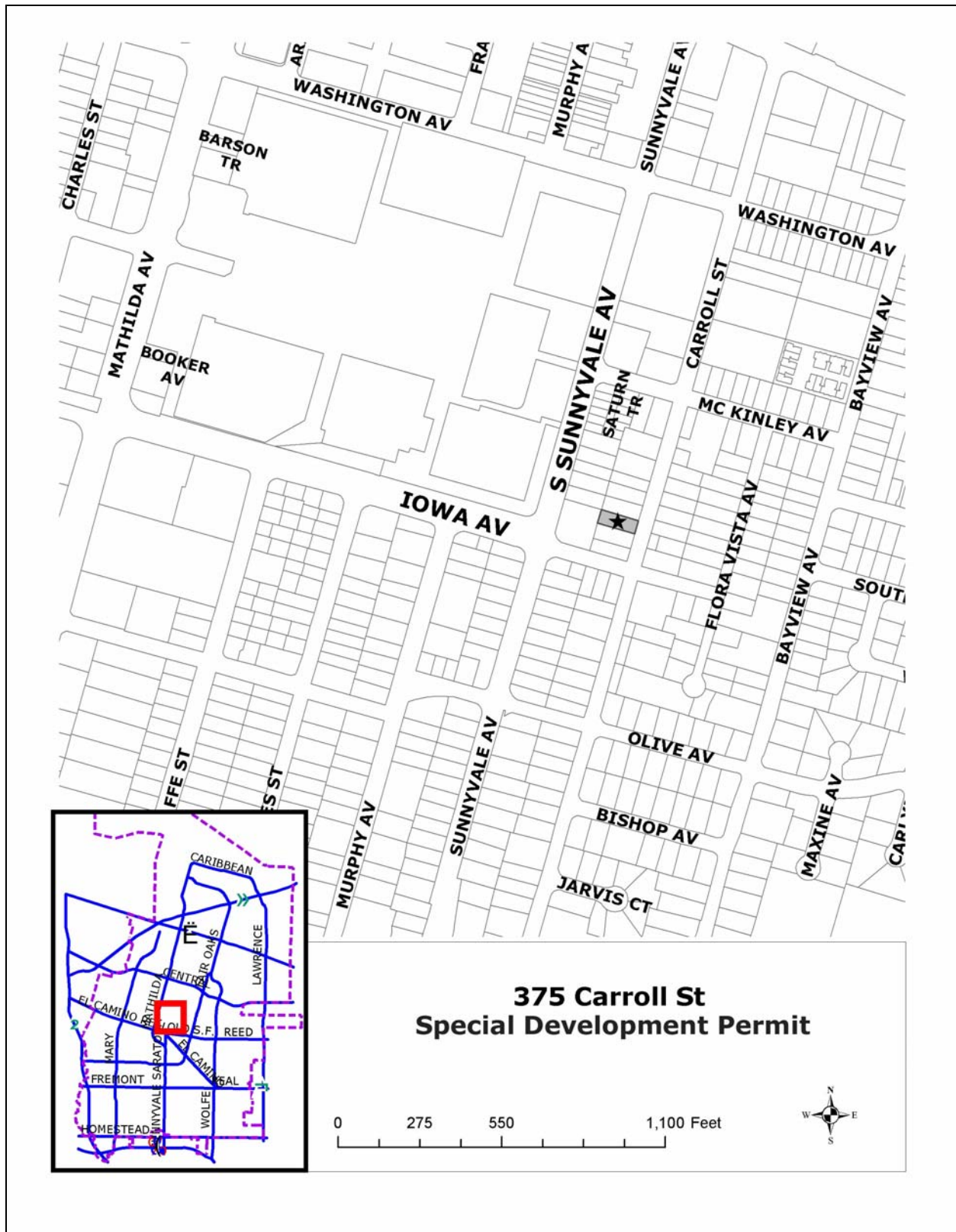
Surrounding Land Uses

North	Single-family Residential
South	Single-family Residential
East	Single-family Residential
West	Multi-family Apartment

Issues Setbacks – rear and side yards
 Backing distance
 Solar impact
 Neighborhood compatibility with density

Environmental Status A Class 3 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines.

Staff Recommendation Denial



PROJECT DATA TABLE

	EXISTING	PROPOSED	REQUIRED/ PERMITTED*
General Plan	Downtown Specific Plan	Same	Downtown Specific Plan (DSP)
Zoning District	DSP Block 8b	Same	DSP, Block 8b
Lot Size (s.f.)	6,098	Same	6,000 min.
Gross Floor Area (s.f.)	1 st -story: 1,140 2 nd -story: 0 Garage: 0 A.L.U.: 0 Total: 1,140	1 st -story: 1,572 2 nd -story: 913 Garage: 700 A.L.U.: 700 Total: 3,885	2,700 max. without PC review
Lot Coverage (%)	18-21%	39%	40% max.
Floor Area Ratio (FAR)	18%	64%	45% max. without PC review
Building Height (ft.)	20	26'3"	30 max.
No. of Stories	1	2	2 max.
Solar Impact on neighboring properties (%)	0	Adj. House: 9.8% Adj. detached Garage: 24%	10% max.
Setbacks (Facing Property)			
Front (ft.)	1 st -story: 27'	1 st -story: 25' 7" 2 nd -story: 45' 10"	1 st -story: 20 min. 2 nd -story: 25 min.
Left Side (ft.)	1 st -story: 2'	1 st -story: 1' 2 nd -story: 15' 8"	1 st -story: 4 side min. 12 total min. 2 nd -story: 7 side min. 18 total min.
Right Side (ft.)	1 st -story: 4' 10"	1 st -story: 4' 2 nd -story: 7'	1 st -story: 4 side min. 12 total min. 2 nd -story: 7 side min. 18 total min.
Rear (ft.)	1 st -story: 47'	1 st -story: 4' 10" 2 nd -story: 4' 10"	1 st -story: 10 min. 2 nd -story: 20 min.
Parking			
Total Spaces	2	4	3 min.
Covered Spaces	1	2	1 min.
Back-up Distance (ft.)	N/A	20	24 min.
Driveway Width (ft.)	8	9' 6"	10 min.

* Single-family dwellings must comply with lot coverage, setback, floor area ratio and other applicable development standards for the R-0 District.

Starred items indicate deviations from the Municipal Code requirements.

ANALYSIS

Description of Proposed Project

The applicant is proposing an addition to a single-family home that will include a first and second-story addition as well as construction of a two-car garage with an accessory living unit above the garage. The project calls for an increase of 1,345 sq. ft. to the existing 1,140 square foot home, and construction of a 700 sq. ft. garage with a 700 sq. ft. accessory living unit. This results in a total addition of 2,745 sq. ft. to the property for a resulting total of 3,885 sq. ft. of floor area.

The Planning Commission is reviewing this application for a residential addition since a Special Development Permit (SDP) is required for all residential applications in the Downtown Specific Plan Block 8b (DSP-8b) area, and the total Floor Area Ratio (FAR) is greater than 45%. Had it been located in a standard residential zoning district, this project would be considered a Design Review with a Variance. For residential projects in the DSP, the City Municipal Code indicates that *single-family dwellings must comply with lot coverage, setback, floor area ratio and other applicable development standards for the R-0 District* (SMC 19.28.060.c)

Background

There is no record of previous planning related actions on this site.

Environmental Review

A Class 3 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines. Class 3 Categorical Exemptions include new construction or conversion of small structures.

Special Development Permit

Detailed Description of Use: The project consists of a first and second story addition in the rear and side area of an existing one story house. The addition contains new bedrooms, bathrooms, and increases the size of the family room, and includes a detached garage and accessory living unit.

Site Layout: The site currently consists of a one-story home with two sheds located in the rear yard.

The applicant is proposing to relocate the existing family room to allow vehicle access to the rear yard, expand the first floor on the side and in the back, and add a second story to the rear of the house. In the rear yard, the applicant proposed adding a 700 sq. ft. two-car garage (400 sq. ft. is standard) with a second-story accessory living unit. Lastly, an arbor is proposed for the driveway area between the house and the neighboring lot.

The proposed additions to the home meet the required setbacks with the exception of the arbor. The proposed garage does not meet the minimum side yard or the minimum rear yard setbacks for either the first story garage or the second story accessory living unit. The applicant indicated the reduced first-story side yard setback is to enable vehicles more direct access to the garage, and the second-story setback meets the intent of indenting the second story 3 feet from the first, even if it does not meet the required 7-foot setback. The applicant has noted that the rear of the property abuts the carport for a two-story apartment building. The proposed first and second story setback is only 4-feet 10-inches where at least 10 feet is required for the first story and 20 feet is required for the second.

Architecture:

While the proposed residence is larger than some of the surrounding homes in terms of square footages, it is not setting precedence for this area since there are several other single family homes and multi family homes in the vicinity which are 2,000 to 3,000 square feet. Staff believes that the proposed addition is compatible with the general mass and scale of the surrounding neighborhood.

Neighborhood

The applicant has proposed a 240% addition to the current floor area, which is a notable increase in density. This level of density is not typical on this section of Carroll, with the exception of a recently constructed home on the corner of Carroll and Iowa. However, that house is in a differently zoned area (DSP 9) and has greater visual access to the downtown core planned for high density redevelopment. While there are several other existing two story single family residences in the immediate vicinity, the proposed 26 foot height would be a notable change to the streetscape appearance.

The following table shows the comparable size and density of other homes along Carroll Street.

Property Address	Lot Size	Gross Floor Area (sq. ft.)	FAR	Number of Stories
433 Carroll St.*	9,750	2,300	24%	2
421 Carroll St.	6,500	1,100	17%	1
402 Carroll St.*	10,464	3,300	32%	2
401 Carroll St.**	4,000	2,424	61%	2
395 Carroll St.	6,136	2,300	37%	2
389 Carroll St.	6,500	1,200	18%	1
388 Carroll St.	7,810	1,100	14%	1
378 Carroll St.	6,310	1,300	21%	1
375 Carroll St. (proposed)	6,098	3,885	64%	2
369 Carroll St.	6,500	836	13%	1
368 Carroll St.	6,310	1,050	17%	1
364 Carroll St.	5,957	1,334	22%	1
363 Carroll St.	6,500	1,717	26%	2
354-356 Carroll St.*	5,957	2,412	40%	2
351 Carroll St.	4,693	1,428	30%	1
346 Carroll St.	6,000	1,346	22%	1
345 Carroll St.	13,000	1,350	10%	1

* Multiple dwelling units.

** Approved Aug 2003, in different zoning district.

Subject Site

The existing residence is a one-story bungalow style home with two bedrooms and a family room, which is listed as “additional space” in County Assessor records. (The City has no record of a garage conversion on the site, and County records are often used as default for determination of living space.) There is currently no covered parking on the site. The proposed design would result in a more contemporary look with a stucco finish on the exterior walls and the tiled roof would add Spanish character to the design. The applicant redesigned the roofline to include a hipped roof, which minimizes the bulky appearance of the addition. The front entrance to the home will continue to be oriented towards Carroll Street.

According to the applicant, the location of the proposed garage and accessory living unit was moved toward the rear of the property to both maximize the yard space and back-up distance for the garage as well as to preserve an existing English Walnut tree located in the rear yard of the property. The proposed design would bring the new garage within 8 feet of the base of the tree. According to the City Arborist, the tree may be able to handle the proposed construction if several measures are taken to protect the roots, including potentially modifying the foundation design of the garage. However, the preferred distance would be at least 10 feet; further, the proposed second story construction will result in the tree having to be cut back by at least 25% and regularly pruned. The City Arborist noted that the tree is in reasonable health but is not considered to be of extremely high value, and indicated that if the design is approved, it may be preferable to replace the tree with a similar species in a location that enables the tree to grow to its full size.

Also of note is that the standard design area for a two-car garage is 400 sq. ft. and all accessory structures of 450 sq. ft. in a residentially zoned district require a Use Permit. The applicant is proposing a 700 sq. ft. garage, which may also serve as a tool or gardening shed.

The following Guidelines were considered in the project's design and architecture with regard to the policies and principles of the Single Family Home Design Techniques.

Basic Design Principles	Comments
<i>2.2.1 Reinforce prevailing neighborhood home orientation and entry patterns</i>	The current entry to the home remains the same. This is in line with the prevailing home orientations and entry patterns along Carroll.
<i>2.2.2 Respect the scale, bulk and character of homes in the adjacent neighborhood</i>	The proposed additions result in a bulk that is in excess of the norm for the neighborhood and for the zoning district.
<i>2.2.3 Design homes to respect their immediate neighbors</i>	The previous table indicates that the proposed density for the addition is greater than the neighboring homes, although the applicant has provided design features to minimize the visual impact in the front of the home.
<i>2.2.4 Minimize the visual impacts of parking</i>	The parking is located in the rear of the site and will not be visible from the street. The proposed arbor over the driveway will further minimize visibility of the parking area. The rear structure is located close to the rear property line, which may impact the aesthetics for future development of that site.

<i>2.2.5 Respect the predominant materials and character of front yard landscaping</i>	The proposed design results in a minimal impact on the front yard landscaping.
<i>2.2.6 Use high quality materials and craftsmanship</i>	The applicant has proposed quality materials for construction.
<i>2.2.7 Preserve mature landscaping</i>	No trees are planned to be removed as part of this project. The location of the garage was, in part, due to an effort to maintain a mature tree in the rear yard. However, the proposed second story accessory structure will impact the existing English Walnut, requiring pruning for 25% crown reduction.

Solar Study: The proposed second-story addition would result in a solar access impact just under the maximum allowable of 10% (9.8%) for the neighboring house and up to 24% for the neighboring garage. While the Code states that a building permit shall not be issued for construction resulting in the solar access to the rooftop of any structure (SMC 19.56.020), it is of note that the neighboring garage is a legal, non-conforming structure with a zero lot line.

Parking/Circulation: The site provides for two covered and two uncovered parking spaces, with the second uncovered space extending to an approximate 45% angle. Unlike the standard requirements for a single-family home with an accessory living unit, only 2 covered and one uncovered space is required for the DSP Block 8b. The proposed design is in access of the requirements.

The proposed design does not provide sufficient backing distance to enable vehicles to back out of the garage and turn around, and the drive aisle does not meet the minimum width.

Compliance with Development Standards/Guidelines: The primary issue of concern to staff is the proposed setback deviations. The accessory building (garage and accessory living unit) does not meet either the side yard or the rear yard setbacks for either the first or second stories. Especially of note is the second story rear yard setback of 4 feet 10 inches where 20 feet is required. The applicant has noted that the structure would overlook the carport for an apartment building on the neighboring site. However, the close proximity of the second story structure may impact the neighboring site if or when it is redeveloped. The proposed design also includes an arbor located over the driveway, shielding the garage from Carroll Street. This feature offers an aesthetic feature, and would match the currently existing family room which has only a 2 foot side yard setback.

The backing distance is an issue for the site as the proposed design would result in a vehicle parked in the garage to back up over 100 feet to exit the property. And the location of the additional uncovered parking space would prevent the vehicle from being able to turn around. The long backing distance makes the reduced aisle width more of a concern.

The proposed second-story addition to the house will have a solar impact on the neighboring site to the north. The impact on the neighboring house is below the maximum allowable requirement but the impact on the neighboring garage is not. However, the garage is legal, non-conforming with a zero lot line, resulting in a higher burden on the subject site with regard to the solar impact requirement.

The proposed design results in a high FAR, which would give the site a bulky appearance when compared with the neighboring properties. The applicant attempted to address this by adding a hipped roof. While this improved the front elevation, it does not detract from a lot of floor space being proposed for a low-density residential site.

The Downtown Specific Plan (DSP) earmarks Block 8b as Low Density Residential, and the DSP calls for single family homes in this zoning district to “comply with lot coverage, setback, floor area ratio and other applicable development standards for the R-0 District” (SMC 19.28.060.c). If zoned R-0, the 6,098 square foot lot would not meet the minimum lot size of 9,000 square feet required to construct an accessory living unit; however, the accessory living unit is allowed as a matter of right in the DSP area.

Expected Impact on the Surroundings: The proposed design will have a minor aesthetic impact the neighboring properties due to the increase in density, an impact on privacy due to the second story with the reduced setbacks, and an impact on the solar capabilities of the garage on the neighboring site to the north.

Fiscal Impact

No fiscal impacts other than normal fees and taxes are expected.

Public Contact

No letters were received from members of the public regarding the proposed development.

Notice of Public Hearing	Staff Report	Agenda
<ul style="list-style-type: none"> Published in the <i>Sun</i> newspaper Posted on the site 17 notices mailed to property owners and residents adjacent to the project site 	<ul style="list-style-type: none"> Posted on the City of Sunnyvale's Website Provided at the Reference Section of the City of Sunnyvale's Public Library 	<ul style="list-style-type: none"> Posted on the City's official notice bulletin board City of Sunnyvale's Website Recorded for SunDial

Conclusion

Discussion: The applicant compared their design to 6 sites in the vicinity which as used as examples of deviations from the current Municipal Code. Attachment D provides a map indicating the location of the sites. Staff comments on the sites are provided below (additional Zoning information in Attachment E).

Applicant's Compared Site	Staff Comment
#1 – 375 Carroll St	<i>Subject Site</i>
#2 – 401 Carroll St, reduced front and side yard setbacks	This property is located in a Low-Medium Density Residential Zoning District (DSP, Block 9). It is a corner lot with the Front Yard facing Iowa Street. The Carroll Street side is a Reducible Front Yard, which only requires a 9 foot setback. This home had several legal non-conformities prior to the approved 2003 addition, such as a pre-existing (legal non-conforming) front yard setback of only 14 feet. Similarly, the 3.5 foot rear yard setback was a legal, non-conforming structure. The approved additions were within current Code requirements.
#3 – 356 Carroll St, side yard setback	This house is located in a different Zoning District (DSP, Block 9) with its primary uses listed as Low-Medium Density Residential. The site was approved for a detached accessory living unit and denied a Variance for a reduced front yard setback (requested 19 feet where 20 is required) in 1999.
#4 – 363 Carroll St, side yard setback	There is no history of Planning permits for this site, though there is a 1986 Building permit for a second story addition and a 1991 Building permit for construction of a carport. Staff concurs with the applicant that this structure is “a bad example of blending in to the

Applicant's Compared Site	Staff Comment
	neighborhood".
#5 – 435 Carroll St, side yard setback	There is no history of planning permits for this site. This site was constructed in 1949 as two units. There is a 1990 Building permit that appears to include expanding kitchen facilities. The site is currently listed as having 4 units.
#6 – 467 Carroll St, side yard setback	There is no history of Planning permits for this site, though there are 1950 Building permits for a two-car garage and an additional room. 1950 construction would pre-date current Planning setback requirements.
#7 – 390 S. Sunnyvale, rear yard setback	This property is located just behind the subject site and is in a different zoning District (DSP, Block 9) with its primary uses listed as Low-Medium Density Residential. The existing structure is a 16 unit apartment building, built in 1970 (the property was zoned R-4 at that time). A Variance was approved in 1970 to construct the carport along the lot line to allow for covered parking on the site and to provide additional privacy (the back of the carport served as a fence, as not was existing at the time.) While staff originally recommended denial of the Variance, after all 3 of the rear yard neighbors stated their approval of the plans, staff noted concurrence with the proposal.
369 Carroll, side yard setback on garage	The neighboring property was approved for construction of a second story and accessory living unit in 1986. This project was never built; however, the existing site plan from the 1986 project shows the garage in place at the time, suggesting it may have been part of the original construction.

If this were presented as Variance, staff would be recommending denial for inability to make the Variance Findings. Given the current zoning, the Special Development Permit may allow for deviations from standard Code requirements.

Findings and General Plan Goals: Staff is recommending denial for this project because the Findings (Attachment A) were not made. However, if the Planning Commission is able to make the required findings, staff is recommending the Conditions of Approval (Attachment B).

Conditions of Approval: Conditions of Approval are located in Attachment B.

Alternatives

1. Deny the Special Development Permit.
2. Approve the Special Development Permit with attached conditions.
3. Approve the Special Development Permit with modified conditions.

Recommendation

Alternative 1.

Prepared by:

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Reviewed by:

Gerri Caruso
Principal Planner

Attachments:

- A. Recommended Findings
- B. Recommended Conditions of Approval
- C. Site and Architectural Plans
- D. Applicant's comparison to six sites in the neighborhood
- E. Zoning the six comparative sites
- F. Letter from the Applicant

Recommended Findings - Special Development Permit

1. The proposed use does not attain the objectives and purposes of the General Plan of the City of Sunnyvale because although the project allows the property owner to expand the use of their property, it has a negative impact on the surrounding properties.
2. The proposed use does not ensure that the general appearance of proposed structures, or the uses to be made of the property to which the application refers, will not impair either the orderly development of, or the existing uses being made of, adjacent properties as the reduced rear yard setback will impact future development of the property located along the rear property line.

Recommended Conditions of Approval - Special Development Permit

In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions and Regulations, Permittee expressly accepts and agrees to comply with the following conditions of approval of this Permit:

Unless otherwise noted, all conditions shall be subject to the review of approval of the Director of Community Development.

1. GENERAL CONDITIONS

- A. Project shall be in conformance with the plans approved at the public hearing(s). Minor changes may be approved by the Director of Community Development, major changes may be approved at a public hearing.
- B. The Conditions of Approval shall be reproduced on the cover page of the plans submitted for a Building permit for this project.
- C. The Special Development Permit for the use shall expire if the use is discontinued for a period of one year or more.
- D. The Special Development Permit shall be null and void two years from the date of approval by the final review authority at a public hearing if the approval is not exercised, unless a written request for an extension is received prior to expiration date.
- E. Any expansion or modification of the approved use shall be approved by separate application at a public hearing by the Planning Commission.
- F. To address storm water runoff pollution prevention issues, downspouts shall be routed to landscaped areas.

2. COMPLY WITH OR OBTAIN OTHER PERMITS

- A. Obtain necessary permits from the Development Permit from the Department of Public Works for all proposed off-site improvements.
- B. Obtain approval from the Fire Division of Public Safety Department for installation of a fully automatic fire sprinkler system and approved smoke detectors prior to issuance of a Building Permit.

3. ACCESSORY LIVING UNIT

- A. The applicant shall at all times comply with the requirements of the Accessory Living Unit as noted in SMC 19.68.
- B. Record deed restriction requiring one unit to be owner occupied.

4. DESIGN/EXTERIOR COLORS AND MATERIALS

- A. Final exterior building materials and color scheme are subject to review and approval of the Planning Commission/Director of Community Development prior to issuance of a building permit.
- B. Roof material shall be 50-year dimensional composition shingle, or as approved by the Director of Community Development.
- C. Increase the second-story rear yard setback to a minimum of 15 feet.
- D. The maximum height of the building shall be 26 feet 3 inches, as measured from the top of the nearest curb.

5. TREE PRESERVATION

- A. Obtain a formal recommendation from a certified arborist on what steps can be taken to preserve the existing English Walnut tree located in the rear yard, and provide a foundation design in accordance with the Arborist's recommendations.
- B. Prior to issuance of a Demolition Permit, a Grading Permit or a Building Permit, whichever occurs first, obtain approval of a tree protection plan from the Director of Community Development. Two copies are required to be submitted for approval.
- C. The tree protection plan shall be installed prior to issuance of any Building Permits, subject to the on-site inspection and approval by the City Arborist.
- D. The tree protection plan shall remain in place for the duration of construction.
- E. The tree protection plan shall include measures noted in Sunnyvale Municipal Code Section 19.94.120 and at a minimum, provide fencing around the drip line of the trees that are to be saved and ensure that no construction debris or equipment is stored within the fenced area during the course of demolition and construction.
- F. Overlay Civil plans including utility lines to ensure that the tree root system is not damaged. If necessary, design foundation for accessory structure to minimize root damage.
- G. If existing English Walnut is damaged during construction, replace with a 36-inch box size of a similar species.

6. PARKING

- A. Provide a drive aisle of at least 10 feet wide.
- B. Provide adequate backing space distance.

7. SOLAR ENERGY

- A. The second story addition shall be modified to limit the solar impact on the neighboring property to less than 15% for the garage and to maintain less than 10% for the neighboring house.

8. FEES

- A. Pay School Impact fee prior to issuance of a Building Permit.

9. UNDERGROUND UTILITIES

- A. All proposed utilities shall be undergrounded.